

REMARKS/ARGUMENTS

Applicant submits herewith for the Examiner's consideration the English version of the claims being granted by the European Patent Office in the corresponding European Patent No. EP 1 161 406 B1 corresponding to the above-identified application.

As the Examiner will note, main claim 1 of the European patent is similar to main claim 41 herein which, it is respectfully submitted, evidences that one skilled in the art would consider the subject matter of claim 41 to be sufficiently described in the application as filed.

Although the Examiner has taken the position that the application contains no positive recitation of passing the ethylene through a mixing and dissolving zone followed by completely dissolving the ethylene in the reaction medium, it is respectfully submitted that the specification as originally filed describes the invention in sufficient detail that one skilled in the art can clearly conclude that the inventor had possession of what is claimed at the time of filing.

For example, as pointed out in the Response to Final Office Action previously filed, the paragraph bridging pages 6 and 7 of the disclosure specifically refers to the ethylene passing

through the free dissolution line located between the ethylene distributor and the start of the chlorine distributor. That paragraph further states that the ethylene is capable of dissolving completely so that the subsequent reaction, i.e. with chlorine, takes place in solution. Similarly, Figure 1 shows a device carrying out this method whereby in the direction of flow provision is made first for an ethylene feed, subsequently for a dissolving zone 12, and thereafter for feeding in dissolved chlorine. See also page 16, lines 6-12 of the disclosure and original claim 9.

In view of the foregoing and the previous April 22, 2004 Response to Final Office Action, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Respectfully submitted,
MICHAEL BENJE - 1 (PCT) (RCE)

COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, New York 11576
(516) 365-9802
FJD:jc

Allison E. Collard, Reg.No.22,532
Edward E. Freedman, Reg.No.26,048
Frederick J. Dorchak, Reg.No.29,298
Attorneys for Applicant

Enclosure: English version of the claims being granted by the European Patent Office in the corresponding European Patent No. EP 1 161 406 B1

CERTIFICATE OF FACSIMILE TRANSMISSION

Fax No. 703-872-9306

I hereby certify that this correspondence is being sent by facsimile-transmission to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313 1450, on June 29, 2004.

Frederick J. Dorchak

R:\Fax\04\BENJE (PCT)\XACC\Supplemental Response.wpd